

TOWN OF TOPSFIELD MASSACHUSETTS



Annual and Special Town Meeting Warrants

Finance Committee Recommendations

MAY 2, 2006

TOWN MEETING

T O P S F I E L D W O R K I N G T O G E T H E R

**WARRANT FOR THE 2006 ANNUAL TOWN MEETING
AND FINANCE COMMITTEE RECOMMENDATIONS FOR FISCAL YEAR 2007**

PLEASE NOTE: This report represents recommendations as of April 10, 2006. The position of the Finance Committee on various warrant articles is subject to change based upon further input.

Essex, ss.

To the Constable of the Town of Topsfield, in said County,

In the name of the Commonwealth of Massachusetts, you are directed to notify the inhabitants of the Town of Topsfield, qualified to vote in elections and in Town affairs, to meet at the

**PROCTOR SCHOOL
WOODBURY AUDITORIUM**

in said Topsfield, on Tuesday, the second day of May, 2006, at seven o'clock in the afternoon (7:00 PM), then and there to act on the following articles:

REPORTS

ARTICLE FIRST: To hear all reports that may legally come before the meeting.

RESERVE FUND

ARTICLE SECOND: To see if the Town will vote to raise and assess or transfer from available funds and appropriate a sum of money for the Reserve Fund, or take any other action relative thereto.

Recommended that the Town vote to appropriate the sum of \$150,000 for the Reserve Fund, and to meet said appropriation that the Town transfer the sum of \$105,000 from Free Cash and the sum of \$45,000 from the Overlay Surplus Reserve.

This article funds the Finance Committee's Reserve Fund that is the amount annually set aside within the Town's Budget to provide a funding source for extraordinary and unforeseen expenditures.

GENERAL OPERATING BUDGET

ARTICLE THIRD: To see if the Town will vote to fix the annual salary and compensation of all elected officers, and raise and assess or transfer from available funds, and appropriate money for schools, highways, and other Town expenses, from July 1st and determine the manner of expending the same.

Recommended that the Town vote to raise, assess, and appropriate the sum of \$13,620,252 for schools, highways, and other Town expenses, and fix the annual salary and compensation of all elected officers from July 1st and determine the manner of expending the same; provided, however, that the sum of \$166,343 of the total appropriation of \$13,620,252 of the Town's General Operating Budget be contingent upon the passage of a Proposition 2 1/2 general override referendum under General Laws Chapter 59, § 21C (g).

This article approves the Fiscal Year 2007 General Operating Budget for the Town for general government purposes and the elementary schools. A portion of the funding for this article is subject to a general override ballot question.

Refer to Attachment A for the detailed Fiscal Year 2007 General Operating Budget.

AMEND PERSONNEL BYLAW

ARTICLE FOURTH: To see if the Town will vote to amend the Town Code, Chapter XLI Personnel Bylaw as described in Attachment B to this warrant, entitled “2006 Personnel Bylaw Amendments”, or take any other action relative thereto.

Recommended that the Town vote to amend the Town Code, Chapter XLI Personnel Bylaw as described in Attachment B of this warrant entitled “2006 Personnel Bylaw Amendments”.

Explanation of amendments incorporated within Attachment B. See Attachment C for Salary & Wage payroll grids.

WATER DEPARTMENT OPERATING BUDGET

ARTICLE FIFTH: To see if the Town will vote to raise and assess or transfer from available funds, and appropriate funds for the Water Department from July 1st and determine the manner of expending the same, or take any other action relative thereto.

Recommended that the Town vote to appropriate \$732,282 as detailed herein, to operate the Water Department from July 1, 2006, through June 30, 2007, of which \$660,532 to come from Water Revenue and \$71,750 of indirect costs appropriated in the General Fund under Article Third above to be funded from Water Revenue.

Appropriated 2005-2006		Proposed Appropriation 2006-2007
	WATER DEPARTMENT OPERATING BUDGET	
57,460.00	Salary	60,336.00
136,960.00	Wages	147,282.00
198,238.00	Other	214,452
5,500.00	Long-Term Debt Principal	6,000
5,582.00	Long-Term Debt Interest	5,362
	Short-Term Debt Interest	25,000
	Debt Issue Costs	2,000
125,000.00	Water Reserve Fund	125,000
75,000.00	Unanticipated Emergency	75,000
603,740.00	SUB-TOTAL	660,532
88,334.00	Indirect Costs	71,750
692,074.00	TOTAL: Water Department	732,282

This article approves the Fiscal Year 2007 Operating Budget for the Water Department.

MASCONOMET REGIONAL SCHOOL DISTRICT ASSESSMENT

ARTICLE SIXTH: To see if the Town will vote to approve the 2007 Fiscal Year Gross Budget of the Masconomet Regional School District in the amount of \$22,416,493, and raise and assess or transfer from available funds, and appropriate a sum of money for the Town’s share of the assessment, \$5,158,035, of same, or take any other action relative thereto.

Recommended that the Town vote to appropriate the sum of \$5,158,035 to fund the Town's share of the Fiscal Year 2007 Masconomet Regional School District Assessment of which the sum of \$4,672,425 supports the Maintenance & Operating Budget, and the sum of \$485,609 supports the Masconomet Building Debt Service; and to meet said appropriation raise and assess the sum of \$5,158,035; provided, however, that the sum of \$16,048 of the \$4,672,425 Maintenance & Operating Budget portion be contingent upon the passage of a Proposition 2 1/2 general override referendum under General Laws Chapter 59, § 21C (g), and if such referendum is not passed, the vote as it pertains to the appropriation in the amount of \$16,048 will be deemed to be a disapproval.

This article approves the Fiscal Year 2007 Assessment for the Masconomet Regional School District. A portion of funding for this article is subject to a general override question.

NORTH SHORE VOCATIONAL SCHOOL DISTRICT ASSESSMENT

ARTICLE SEVENTH: To see if the Town will vote to approve the 2007 Fiscal Year Gross Operating Budget of the North Shore Regional Vocational School District in the amount of \$8,885,015 and raise and assess or transfer from available funds, and appropriate a sum of money for the Town's share of the assessment of same, or take any other action relative thereto.

Recommended that the Town vote to approve the 2007 Fiscal Year Gross Operating Budget of the North Shore Regional Vocational School District in the amount of \$8,885,015 and raise, assess, and appropriate the sum of \$23,751 for the Town's share of the assessment of same.

This article approves the Fiscal Year 2007 Assessment for the North Shore Regional Vocational School District.

LEASE OF EMERSON FIELD

ARTICLE EIGHTH: To see if the Town will vote to authorize the Board of Selectmen (under such terms as they deem advisable), to enter into a lease with the Congregational Church of Topsfield for certain property in Topsfield commonly known as Emerson Field, and to see if the Town will vote to raise and assess or transfer from available funds, and appropriate a sum of money for this lease, or take any other action relative thereto.

Recommended that the Town vote to authorize the Board of Selectmen (under such terms as they deem advisable), to enter into a lease with the Congregational Church of Topsfield for certain property in Topsfield commonly known as Emerson Field, and transfer and appropriate the sum of \$750 from Free Cash for said lease.

This article allows the Town to enter into an annual agreement with the Congregational Church to lease Emerson Field for recreational purposes.

GRANT AUTHORIZATION FOR TOWN PROJECTS

ARTICLE NINTH: To see if the Town will vote to authorize the Board of Selectmen to apply for, accept, and expend without further appropriation any private, state, or federal grants or loans for Town projects, or take any other action relative thereto.

Recommended that the Town vote to authorize the Board of Selectmen to apply for, accept, and expend without further appropriation any private, state, or federal grants or loans for Town projects.

This annual article would allow the Board of Selectmen to apply for, accept and expend any private, state, or federal grants and loans for Town projects.

MASSACHUSETTS HIGHWAY DEPARTMENT CONTRACT

ARTICLE TENTH: To see if the Town will vote to authorize the Board of Selectmen to enter into a contract with the Massachusetts Highway Department for the ensuing year, or take any other action relative thereto.

Recommended that the Town vote to authorize the Board of Selectmen to enter into a contract with the Massachusetts Highway Department for the ensuing year.

This annual article allows the Town to enter into contracts with the State for highway purposes and to accept state funds such as Chapter 90 funds for road maintenance and reconstruction.

PARK REVOLVING FUND

ARTICLE ELEVENTH: To see if the Town will vote to establish a revolving fund for the Park & Cemetery Department pursuant to Massachusetts General Law Chapter 44, § 53E1/2, or take any other action relative thereto.

Recommended that the Town vote to establish the Park Revolving Fund for the Park & Cemetery Department pursuant to Massachusetts General Law Chapter 44, § 53E1/2: (1) to pay for part-time wages, equipment, supplies and other operating expenses; (2) receipts of the Park & Cemetery Department's recreation programs shall be deposited in said fund unless otherwise provided for by law; (3) said funds may be expended by majority vote of the Park & Cemetery Commissioners; (4) expenditures to be limited to \$25,000 in the ensuing year.

This annual article would approve the establishment of the Park Revolving Fund, and would also approve a spending limit in the amount of \$25,000 for fiscal 2007. This fund would be used to support the recreation programs established by the Recreation Committee under the statutory authority of the Park & Cemetery Commission. The recreation programs would include non-competitive activities for all age groups in Town. Fees charged to the participants in the recreation programs would be deposited in this fund to pay for various operating expenses.

CEMETERY REVOLVING FUND

ARTICLE TWELFTH: To see if the Town will vote to establish a revolving fund for the Park & Cemetery Department pursuant to Massachusetts General Law Chapter 44, § 53E1/2, or take any other action relative thereto.

Recommended that the Town vote to establish the Cemetery Revolving Fund for the Park & Cemetery Department pursuant to Massachusetts General Law Chapter 44, § 53E1/2: (1) to pay for part-time wages, equipment, supplies and other operating expenses; (2) cemetery related receipts of the Park & Cemetery Department shall be deposited in said fund unless otherwise provided for by law; (3) said funds may be expended by majority vote of the Park & Cemetery Commissioners; (4) expenditures to be limited to \$25,000 in the ensuing year.

This annual article would approve the establishment of the Cemetery Revolving Fund, and would also approve a spending limit in the amount of \$25,000 for fiscal 2007. Grave opening fees are the main source of revenue deposited into the revolving fund which is used by the Department for major infrastructure improvements to the Pine Grove Cemetery inclusive of road paving and reconstruction, land clearing for new areas, and the purchase of capital equipment.

CONSERVATION COMMISSION REVOLVING FUND

ARTICLE THIRTEENTH: To see if the Town will vote to establish a revolving fund for the Conservation Commission pursuant to Massachusetts General Law Chapter 44, § 53E1/2, or take any other action relative thereto.

Recommended that the Town vote to establish the Conservation Revolving Fund for the Conservation Commission pursuant to Massachusetts General Law Chapter 44, § 53E1/2: (1) to be expended for any purpose authorized by Massachusetts General Law Chapter 40, § 8C; (2) receipts of the Conservation Commission of fees paid under the Topsfield Wetlands General Bylaw and Regulations will be deposited in said fund unless otherwise provided for by law; (3) said funds may be expended by majority vote of the Conservation Commissioners; (4) expenditures to be limited to \$30,000 in the ensuing year.

This annual article would approve the establishment of the Conservation Revolving Fund, and would also approve a spending limit in the amount of \$30,000 for fiscal 2007. This revolving fund would support the funding of the Conservation Commission's operating budget. It may also support required services and other expenditures relative to the enforcement of the Town's local Wetland's Bylaw.

FISCAL 2007 ADDITIONAL REAL ESTATE EXEMPTION FOR THOSE QUALIFIED UNDER SECTION 5 OF M. G. L. CHAPTER 59

ARTICLE FOURTEENTH: To see if the Town will vote an exemption for fiscal 2007 under the provisions of Section 4 of Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988, or take any other action relative thereto.

Recommended that the Town vote under the provisions of Section 4 of Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988 an exemption increase of one hundred per cent (100%) for fiscal 2007 for all taxpayers qualifying for a personal exemption.

This local option provision, accepted at the May 2001 Town Meeting, requires an annual Town vote to approve any increase in the amount of exemptions granted to those applicants who qualify under various clauses under Chapter 59, Section 5 that include the elderly, blind, surviving spouses and minor children, and veterans. The amount voted shall not exceed twice the statutory amount of the Chapter 59 exemption for which the taxpayer qualifies; further this additional amount shall not result in a taxpayer paying less taxes than in the preceding year. The percentage amount voted must be uniform for all classes.

ANNUAL ENGINEERING & LANDFILL MONITORING

ARTICLE FIFTEENTH: To see if the Town will vote to transfer and appropriate a sum of money from the Solid Waste Fund to be expended by the Board of Selectmen to fund the fiscal 2007 annual professional engineering and monitoring services related to the capping and closure of the Town's sanitary landfill, or take any other action relative thereto.

Recommended that the Town vote to transfer and appropriate the sum of \$34,795 from the Solid Waste Fund to be expended by the Board of Selectmen to fund the fiscal 2007 annual professional engineering and monitoring services related to the capping and closure of the Town's sanitary landfill.

This annual article would allow the Town to contract for the engineering and monitoring services that are required as part of the Administrative Consent Order issued by the Department of Environmental Protection (DEP) for the capping and closure of the sanitary landfill, and that are also required by the Post Closure Use Permit which allows recreational use.

TOWN HALL COMPUTER SYSTEM UPGRADE

ARTICLE SIXTEENTH: To see if the Town will vote to raise and assess or transfer from available funds, and appropriate a sum of money to be expended by the Board of Selectmen with the advice of the Computer Technology Committee, for the installation of hardware and software related to network improvements for the Town Hall computer system, and associated training of personnel, or take any other action relative thereto.

Recommended that the Town vote to transfer from Free Cash and appropriate the sum of \$15,000 to be expended by the Board of Selectmen with the advice of the Computer Technology Committee for the installation of hardware and software related to network improvements for the Town Hall computer system, and associated training of personnel.

This article would appropriate funds to upgrade the security and safety of the Town Hall computer system, and provides for the purchase of a power conditioner (UPS) to protect the system from frequent power line interruptions as well as new server, peripherals and software that protect the network and email from unauthorized access from the Internet.

TOWN HALL ELECTRICAL UPGRADE

ARTICLE SEVENTEENTH: To see if the Town will vote to raise and assess or transfer from available funds, and appropriate a sum of money to be expended by the Board of Selectmen with the advice of the Town Hall Building Committee to upgrade the electrical system for Town Hall, or take any other action relative thereto.

Recommended that the Town vote to transfer from Free Cash and appropriate the sum of \$25,000 to be expended by the Board of Selectmen with the advice of the Town Hall Building Committee to upgrade the electrical system for Town Hall.

This upgrade consists of increasing the electrical service to 400 amps, adding two new circuit breaker panels, changing the circuitry to reduce the loading on the emergency generator and adding the circuits to handle the new computer UPS system.

PURCHASE & REPLACEMENT OF HIGHWAY DUMP TRUCK

ARTICLE EIGHTEENTH: To see if the Town will vote to raise and assess or transfer from available funds, and appropriate a sum of money to be expended by the Board of Selectmen, with the advice of the Board of Road Commissioners to purchase and equip a 4 wheel drive dump truck, and trade-in or sell the existing 1997 Ford-350 Dump Truck, or take any other action relative thereto.

Recommended that the Town vote to transfer from Free Cash and appropriate the sum of \$45,000 to be expended by the Board of Selectmen, with the advice of the Board of Road Commissioners to purchase and equip a 4 wheel drive dump truck, and trade-in the existing 1997 Ford F-350 Dump Truck.

This capital article would approve the purchase of a new 4 wheel drive dump truck that would replace the nine year old Ford dump truck. This vehicle is part of the Highway fleet used for various purposes including snow plowing. The trade-in value is approximately \$2,500.

RE-POINTING & SEALING OF LIBRARY BRICK EXTERIOR

ARTICLE NINETEENTH: To see if the Town will vote to raise and assess or transfer from available funds, and appropriate a sum of money to be expended by the Board of Selectmen with the advice of the Library Trustees for the re-pointing and sealing of the Library's brick exterior on the original 1930's structure, or take any other action relative thereto.

Recommended that the Town vote to transfer from Free Cash and appropriate the sum of \$12,500 to be expended by the Board of Selectmen with the advice of the Library Trustees for the re-pointing and sealing of the Library's brick exterior on the original 1930's structure.

This article would provide funding to re-point and seal the brick exterior of the original 1930's façade. During the Library building project in 1999, the interior of the original building was renovated but only minimal repairs were made to the original façade.

PURCHASE OF PARK & CEMETERY ONE TON FOUR WHEEL DRIVE DUMP TRUCK

ARTICLE TWENTIETH: To see if the Town will vote to raise and assess or transfer from available funds, and appropriate a sum of money to be expended by the Board of Selectmen with the advice of the Board of Park & Cemetery Commissioners to purchase and equip a one ton four wheel drive dump truck with plow and rack bed, or take any other action relative thereto.

Recommended that Town vote to appropriate the sum of \$37,500 to be expended by the Board of Selectmen with the advice of the Board of Park & Cemetery Commissioners to purchase and equip a one ton four wheel drive dump truck with plow and rack bed; and to meet said appropriation to transfer the sum of \$19,000 from Free Cash and transfer the sum of \$18,500 from the Cemetery Perpetual Care Fund.

This capital article would approve the purchase of an additional one ton four wheel drive dump truck for the Park & Cemetery Department. The Department's responsibilities and the acreage it maintains have increased. This truck would be used in daily operations within the Town parks and cemeteries as well as to assist in snow removal. The present truck will be kept and utilized to transport staff, equipment and materials to work sites around Town and with in the cemeteries to accommodate this growing department.

FIRE STATION STORM WINDOW REPLACEMENT

ARTICLE TWENTY-FIRST: To see if the Town will vote to raise and assess or transfer from available funds, and appropriate a sum of money to be expended by the Board of Selectmen with the advice of the Fire Chief for the replacement and installation of storm windows at the Fire Station, or take any other action relative thereto

Recommended that the Town vote to transfer from Free Cash and appropriate the sum of \$15,000 to be expended by the Board of Selectmen with the advice of the Fire Chief for the replacement and installation of storm windows at the Fire Station.

This article provides funds for the replacement of 28 single pane windows with new energy efficient storm windows. The Fire Station was built in 1970 and these are the original windows. Since the Fire Station is located within the Town's Historic District, the window replacement project will require the approval of the Commission.

INSTALLATION OF SECURITY SYSTEM FOR ELEMENTARY SCHOOLS

ARTICLE TWENTY-SECOND: To see if the Town will vote to raise and assess or transfer from available funds, and appropriate a sum of money to be expended by the Board of Selectmen, with the advice of the School Committee, for the installation of security system equipment for the Topsfield Elementary Schools, or take any other action relative thereto.

Recommended that the Town vote to transfer from Free Cash and appropriate the sum of \$14,728 to be expended by the Board of Selectmen, with the advice of the School Committee, for the installation of security system equipment for the Topsfield Elementary Schools.

This article provides funds for the installation of security systems for the Proctor and Steward Elementary Schools. The proposed systems would include DVR surveillance of the main entrances as well as intercom and card swipe access.

PURCHASE OF HIGHWAY MUTI-PURPOSE TRACTOR BY A LEASE AGREEMENT

ARTICLE TWENTY-THIRD: To see if the Town will authorize the Board of Selectmen with the advice of the Board of Road Commissioners to enter into a four year lease-to-purchase agreement for the procurement and equipping of a multi-purpose tractor, and trade in or sell the 1992 Holder tractor; and to meet said appropriation raise and assess a sum of money, or take any other action relative thereto.

Recommended that the Town authorize the Board of Selectmen with the advice of the Board of Road Commissioners to enter into a four-year municipal lease-to-purchase agreement for the procurement and equipping of a multi-purpose tractor, and trade in or sell the 1992 Holder tractor; and to meet said appropriation transfer the sum of \$28,800 from Free Cash.

This article would approve the leasing of a new multipurpose tractor to replace the 14-year-old multi-purpose tractor that is currently owned by the Town. This lease is a municipal lease-to-purchase agreement resulting in the Town's ownership of the tractor at the end of the four-year lease period. The new tractor would be used to clear snow from sidewalks and for seasonal sweeping and mowing.

ADDITIONAL FUNDS FOR IPSWICH ROAD WATER MAIN PROJECT

ARTICLE TWENTY-FOURTH: To see if the Town will vote to borrow and appropriate a sum of money to be expended by the Board of Selectmen, with the advice of the Board of Water Commissioners, to fund the reconstruction of the water main along Ipswich Road west of Route 1 and other project related expenses for the Ipswich Road Water Main Project, or take any other action relative thereto.

Recommended that the Town vote to appropriate the sum of \$400,000 for the reconstruction of the water main along Ipswich Road west of Route 1 and other project related expenses for the Ipswich Road Water Main Project; and to meet said appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow the sum of \$400,000 under M.G.L. c. 44, § 8; and the Board of Selectmen with the advice of the Board of Water Commissioners is authorized to take any other action necessary to carry out this project.

This capital article would provide an additional \$400,000 in funds to be added to the \$550,000 already approved under Article Forty-First of the May 4, 2004 Annual Town Meeting for the reconstruction of the water main on Ipswich Road from Route 1 to Main Street. Since this project was designed several years ago, there has been a large increase in the estimated project cost, particularly in water pipe itself. There has also been an increase in the scope of the project. It is now planned to also replace part of the main along North Street, Pine Street and Haverhill Road. The existing water main is undersized, in excess of

fifty years old and at high risk of emergency repairs. The Town has also been awarded a state grant for the reconstruction of this portion of Ipswich Road. Although this water main project is not part of the grant, the Water Commissioners believe that it is most appropriate to replace the water main concurrent with the Ipswich Road Reconstruction Project.

ENGINEERING SERVICES FOR WASHINGTON STREET WATER MAIN PROJECT

ARTICLE TWENTY-FIFTH: To see if the Town will vote to transfer and appropriate a sum of money from the Water Enterprise Reserve Fund to be expended by the Board of Selectmen, with the advice of the Board of Water Commissioners for professional engineering services for the replacement of water main along the portion of Washington Street from Colrain Road to River Road, or take any other action relative thereto.

Recommended that the Town vote to transfer and appropriate the sum of \$30,000 from the Water Enterprise Reserve Fund to be expended by the Board of Selectmen, with the advice of the Board of Water Commissioners for professional engineering services for the replacement of water main along the portion of Washington Street from Colrain Road to River Road.

This capital article would provide for professional design services for the replacement of water main on Washington Street, from Colrain Road to River Road. The existing water main is over 50 years old, is undersized for current water demand, and has experienced several failures over the past 5 years. This project is scheduled so that the water main portion of the work will be complete before the roadway is reconstructed as part of an existing State Highway Grant.

WATER METER REPLACEMENT PROJECT (YEAR 2)

ARTICLE TWENTY-SIXTH: To see if the Town will vote to transfer and appropriate a sum of money from the Water Enterprise Reserve Fund to Article Thirty-Second of the May 3, 2005 Annual Town Meeting to be expended by the Board of Selectmen, with the advice of the Board of Water Commissioners for the replacement of water meters, or take any other action relative thereto.

Recommended that the Town vote to transfer and appropriate the sum of \$150,000 from the Water Enterprise Reserve Fund to Article Thirty-Second of the May 3, 2005 Annual Town Meeting to be expended by the Board of Selectmen, with the advice of the Board of Water Commissioners for the replacement of water meters.

This article would approve funding for year two of a three-year replacement program for the Town's water meters. The average age of the Town's water meters is 20 years old and the meters operate with varying degrees of accuracy. The State has mandated that the Town implement a program to improve measurement of water use. The new meters are in response to that mandate. As an additional benefit, the new remotely read meters will improve the Water Department's operational efficiency and allow more frequent billing and monitoring of use.

INSURANCE COMMITTEE BYLAW AMENDMENT

ARTICLE TWENTY-SEVENTH: To see if the Town will vote to amend the Town Code, Chapter II, Administration, Article VII, by deleting Section 2-18 in its entirety:

“2-18 The Insurance Committee shall consist of five (5) members, one (1) member from the Board of Selectmen to be appointed by the Board of Selectmen; one (1) member from the School committee, to be appointed by the School Committee; the Town treasurer and two (2) members familiar with property insurance, but not agents, all for one (1) year terms, the latter two (2) members to be appointed by the

Board of Selectmen. Said committee to be called the Insurance Committee and shall perform the following duties:

- a. To place all fire, liability and all other types of Town insurance and to have charge of all matters connected therewith, unless otherwise stated by Statute.
- b. To place insurance on a schedule basis, to secure, so far as possible, complete insurance protection at minimum cost.
- c. Compensation for the Insurance Committee Clerk is to be recommended by the Insurance Committee.”

and substituting a new Section 2-18 as follows:

“2-18.1 Establishment, Membership and Tenure: The Committee, as established hereunder, shall consist of five (5) voting members, the Town Administrator as a non-voting ex-officio member, and at the discretion of the Committee, may include additional non-voting ex-officio members as required by said Committee.

- a. **One (1) member of the Board of Selectmen selected thereto annually by the Chairman of the Board.**
- b. **One (1) member of the Finance Committee selected thereto annually by the Finance Committee Chairman.**
- c. **Three (3) members appointed annually by the Board of Selectmen.**

2-18.2 Duties: The Committee shall be chartered hereunder to review on an annual basis the Town’s insurance policies including but not limited to Property and General Liability, Worker’s Compensation, Professional Liability, Police and Fire Accident, Employee Health Insurance, and provide a recommendation to the Board of Selectmen concerning said policies relative to comprehensiveness of coverage, statutory requirements and cost impacts,”

or take any other action relative thereto.

Recommended that the Town vote to amend the Town Code, Chapter II, Administration, Article VII, by deleting Section 2-18 in its entirety and substituting a new Section 2-18 as described above.

The present bylaw is over 40 years old. This bylaw amendment reflects the current organizational structure of the Town and current practices as established under State statutes and other Town bylaws.

BOARD OF HEATH MUTUAL AID AGREEMENT

ARTICLE TWENTY-EIGHTH: To see if the Town will vote in accordance with M.G. L. Chapter 40, Section 4A to authorize the Board of Selectmen, in consultation with the Board of Health, to enter into an inter-municipal agreement with one or more other governmental units to provide public health services which the Board of Health is authorized to perform, or take any other action relative thereto.

Recommended that the Town vote in accordance with M.G. L. Chapter 40, Section 4A to authorize the Board of Selectmen, in consultation with the Board of Health, to enter into an inter-municipal agreement with one or more other governmental units to provide public health services which the Board of Health is authorized to perform.

The Massachusetts Department of Public Health in conjunction with the Homeland Security Act has requested that all Boards of Health establish a mutual aid agreement with their surrounding towns.

AMENDMENTS TO THE WETLANDS GENERAL BYLAW, SECTIONS 62-2, 62-3, 62-10

ARTICLE TWENTY-NINTH: To see if the Town will vote to amend the Town Code, Chapter 62, the Wetlands General Bylaw, portions of Sections 62-2, 62-3 and 62-10 to read as described below:

“62-2 JURISDICTION.

- i. Isolated Wetlands 5,000 square feet or less in size that are within or partly within the 100-foot Resource Area of a wetland, stream, or within Riverfront Area.

62-3 DEFINITIONS.

Freshwater Wetland shall mean and include any marsh, bog, swamp or wet meadow, whether or not it borders on water. The wetland may be defined by its vegetational community, soil composition or hydrologic regime. A wetland not bordering on a body of water and not a vernal pool, and not exceeding five thousand (5,000) square feet, and not meeting the requirements of Section 62-2i., herein, shall not be subject to protection under this By-Law.

Cleaveland Brook – Gail Street to School Brook (*Note: to read Cleaveland*)

62-10 AMENDMENTS TO PERMITS.

The conditions contained in the permit issued under the provisions of Section 62-9 may be amended by the Commission ~~with the consent~~ at the request of the applicant. Amendments that may be approved by the Commission ~~shall be limited to~~ include the following:

- a. Amendments by deletion provided that such deletions do not derogate the intent and purpose of the permit conditions.
- b. Perfecting amendments, inclusive of, but not limited to, the correction of typographical errors, and errors of reference.
- c. ~~Amendments that alter the scope but not the intent of the particular condition being amended.~~
Amendments that would result in the same or decreased impact on the interests protected by this bylaw, Section 62-1, herein.”

or take any other action thereto.

Recommended that the Town vote to amend the Town Code, Chapter 62, the Wetlands General Bylaw, Sections 62-2, 62-3 and 62-10 to read as described above.

This article amends Section 62-2 such that an isolated wetland that is at least partly within another Resource area is protected; amends Section 62-3 such that it clarifies which small isolated wetlands are not jurisdictional and corrects a spelling error; and amends 62-10 by clarifying the types of proposed amendments to permits that the Commission may address, and removes an inconsistency with State policy regarding amendments.

ELECTRICAL & GAS SUPPLY FIVE YEAR CONTRACT AUTHORIZATIONS

ARTICLE THIRTIETH: To see if the Town will vote to authorize the Board of Selectmen to enter into utility contracts for a period of up to five years for the purchase of electric and gas energy supplies, or take any other action relative thereto.

Recommended that the Town vote to authorize the Board of Selectmen to enter into utility contracts for a period up to five years for the purchase of electric and gas energy supplies.

With the deregulation of the electric and gas utilities, the Town has participated in consortium bids with other communities and public entities for cost control purposes to seek the lowest price for energy supply rates for electricity and gas. Energy providers will provide further discount pricing when the term of the contract period is for five years. State statute limits contracts to three years without town meeting approval.

STABILIZATION FUND

ARTICLE THIRTY-FIRST: To see if the Town will vote to raise and assess or transfer from available funds and appropriate a sum of money for the Stabilization Fund.

Recommended that no action be taken.

FREE CASH

ARTICLE THIRTY-SECOND: To see if the Town will vote to authorize and direct the Board of Assessors to transfer and appropriate a sum of money from Free Cash to reduce the tax levy for the fiscal year 2007.

Recommended that the Town vote to authorize and direct the Board of Assessors to transfer and appropriate the sum of \$408,469 from Free Cash to reduce the tax levy for the fiscal year 2007.

And you are also directed to notify said inhabitants, qualified to vote in the election of Town Officers, to meet at the St. Rose Church Hall, 12 Park Street, the fourth day of May, 2006, at seven o'clock in the morning to bring in their votes on one ballot for the following offices:

ONE Moderator	(1 year)
TWO Selectman	(3 years)
ONE Selectman	(2 years)
ONE Assessor	(3 years)
ONE Regional District School Committee	(3 years)
ONE School Committee	(3 years)
ONE Park & Cemetery Commissioner	(3 years)
ONE Planning Board	(3 years)
ONE Planning Board	(2 years)
ONE Road Commissioner	(3 years)
ONE Commissioner of Trust Funds	(3 years)
ONE Water Commissioner	(3 years)
TWO Trustees of Town Library	(3 years)

PROPOSITION 2 1/2 REFERENDUM BALLOT QUESTIONS

QUESTION ONE: Shall the Town of Topsfield be allowed to assess an additional \$182,391 in real estate and personal property taxes for the purposes of funding the general operating budget of which \$46,639 is for general government purposes, \$119,704 is for the elementary schools, and \$16,048 is for the Town's assessment for the Masconomet Regional School District for the fiscal year beginning July first two thousand and six?

The polls shall be open from **7:00 AM UNTIL 8:00 PM**, and you are directed to serve this Warrant by posting attested copies thereof, one at the Post Office, one at the Town Hall, and one at each of the Public Meeting Houses in said Town, seven days at least before time for holding said meeting.

Hereof fail not, and make due return of this Warrant, with your doing thereon, to the Town Clerk, at the time and place of meeting as aforesaid.

Given under our hands this tenth day of April in the year two thousand and six.

Selectmen
Of
Topsfield


Boyd R. Jackson, *Chairman*

John J. McArdle, *Clerk*

Heidi L. Bond, *Member*

A true copy
ATTEST:


Frederick J. Glatz, *Town Constable*

RECOMMENDATIONS AS VOTED BY THE TOPSFIELD FINANCE COMMITTEE:

Joel L. Uchenick, *Chairman*
Kathryn S. Hartmann
Holger M. Luther
Mark B. Lyons
Mark A. Manning
Trudi I. Perry
Dana E. Warren, Jr.

**WARRANT FOR THE 2006 SPECIAL TOWN MEETING
AND FINANCE COMMITTEE RECOMMENDATIONS FOR FISCAL YEAR 2006**

PLEASE NOTE: This report represents recommendations as of April 10, 2006. The position of the Finance Committee on various warrant articles is subject to change based upon further input.

Essex, ss

To the Constable of the Town of Topsfield, in said County.

In the name of the Commonwealth of Massachusetts, you are directed to notify the inhabitants of the Town of Topsfield, qualified to vote in elections and in Town affairs, to meet at the

**PROCTOR SCHOOL
WOODBURY AUDITORIUM**

in said Topsfield, on Tuesday, the second day of May, 2006, at thirty minutes after seven o'clock in the afternoon (7:30 PM), then and there to act on the following articles:

REPORTS

ARTICLE FIRST: To hear all reports that may legally come before the meeting.

PRIOR YEAR BILLS

ARTICLE SECOND: To see if the Town will vote to transfer from available funds and appropriate a sum of money to pay outstanding bills contracted prior to July 1, 2005.

Recommendation pending further review.

TRANSFER OF FUNDS

ARTICLE THIRD: To see if the Town will vote to transfer from the unexpended balance of certain accounts, and/or from available funds, and appropriate said funds to certain other accounts to pay certain expenses for the 2006 fiscal year, or take any other action relative thereto.

Recommendation pending further review.

TOWN HALL IMPROVEMENTS

ARTICLE FOURTH: To see if the Town will vote to transfer from available funds, and appropriate a sum of money to be expended by the Board of Selectmen with the advice of the Town Hall Building Committee for associated costs related to the interior painting and minor improvements to the Town Hall, or take any other action relative thereto.

Recommended that the Town vote to transfer from Article Sixth of the 2001 Special Town Meeting and Article Sixth of the 2002 Special Town Meeting, and appropriate the sum of \$10,570 to be expended by the Board of Selectmen with the advice of the Town Hall Building Committee for associated costs related to the interior painting and minor improvements to the Town Hall.

The interior of Town Hall needs to be addressed. It has been twenty-five years since the Town Hall offices have been painted. The funds will be used for painting the interior offices and common areas as well as minor repairs as required.

FUNDING OF MEDICAL BILLS FOR INJURED POLICE OFFICER

ARTICLE FIFTH: To see if the Town will vote to transfer from available funds, and appropriate said funds to pay certain medical expenses as required under M.G.L. Chapter 41, Section 100, or take any other action relative thereto.

Recommended that the Town vote to appropriate the sum of \$150,000 to pay certain medical expenses as required under M.G.L. Chapter 41, Section 100 and to meet said appropriation transfer the sum of \$100,000 from Free Cash and transfer the sum of \$50,000 from the Stabilization Fund.

This article will fund the payments of medical bills in excess of insurance coverage currently at \$100,000 per accident to providers relative to the injuries sustained by a Topsfield Police Officer while on duty. The payment of medical bills is a statutory legal liability for the Town pursuant to M.G. L. Chapter 41, Section 100.

Hereof, fail not, and make due return of the Warrant, with your doing thereon, to the Town Clerk, at the time and place of meeting as aforesaid.

Given under our hands this tenth day of April in the year two thousand and six.

**Selectmen
Of
Topsfield**


Boyd R. Jackson, Chairman

John J. McArdle, Clerk

Heidi L. Bond, Member

A true copy
ATTEST:


Frederick J. Glatz, Town Constable

RECOMMENDATIONS AS VOTED BY THE TOPSFIELD FINANCE COMMITTEE:

Joel L. Uchenick, *Chairman*

Kathryn S. Hartmann

Holger M. Luther

Mark B. Lyons

Mark A. Manning

Trudi I. Perry

Dana E. Warren, Jr.

**Approved
Appropriation
2005-2006**

**ATTACHMENT A
FY2007 GENERAL OPERATING BUDGET
MAY 2, 2006 ANNUAL TOWN MEETING**

**Recommended
Appropriation
2006-2007**

ELECTED OFFICERS

50.00	MODERATOR:	50.00
	SELECTMEN:	
1,500.00	Chairman	900
1,500.00	Clerk	900
1,500.00	Member	900
—	Member	900
—	Member	900
	ASSESSORS:	
1,500.00	Chairman	1,500.00
1,500.00	Clerk	1,500.00
1,500.00	Member	1,500.00
51,835.00	TOWN CLERK:	53,490.00
	PLANNING BOARD:	
200.00	Chairman	200.00
250.00	Clerk	250.00
50.00	Member	50.00
50.00	Member	50.00
50.00	Member	50.00

GENERAL GOVERNMENT

	Moderator:	
50.00	Salary	50.00
50.00	TOTAL: Moderator	50.00
	Selectmen:	
72,292.00	Salaries	119,723.00
70,127.00	Wages	54,507.00
34,414.00	Other	31,508.00
176,833.00	TOTAL: Selectmen	205,738.00
	Selectmen's Special:	
73,200.00	Other	75,700.00
73,200.00	TOTAL: Selectmen Special	75,700.00
	Parking Clerk:	
125.00	Other	125.00
125.00	TOTAL: Parking Clerk	125.00

	Finance Committee:	
2,000.00	Wages	2,196.00
1,850.00	Other	1,850.00
3,850.00	TOTAL: Finance Committee	4,046.00
	Town Website/Cable Advisory:	
5,400.00	Wages	5,425.00
3,500.00	Other	3,500.00
8,900.00	Total: Town Website/Cable Advisory	8,925.00
	Town Accountant:	
58,215.00	Salaries	59,336.00
30,409.00	Wages	31,250.00
21,555.00	Other	21,555.00
110,179.00	TOTAL: Town Accountant	112,141.00
	Board of Assessors	
62,965.00	Salaries	64,836.00
33,227.00	Wages	34,054.00
16,300.00	Other	16,300.00
112,492.00	TOTAL: Assessors	115,190.00
	Town Treasurer and Collector:	
55,791.00	Salaries	59,336.00
65,005.00	Wages	66,961.00
28,675.00	Other	36,275.00
149,471.00	TOTAL: Town Treasurer & Coll.	162,572.00
	Town Hall:	
32,221.00	Wages	33,147.00
74,590.00	Other	81,192.00
106,811.00	TOTAL: Town Hall	114,339.00
	School Street Building	
820.00	Other	820.00
820.00	TOTAL: School Street Building	820.00
	Personnel Board:	
300.00	Other	300.00
300.00	TOTAL: Personnel Board	300.00
	Town Clerk:	
51,835.00	Salary	53,490.00
27,145.00	Wages	28,044.00
14,005.00	Other	14,005.00
92,985.00	TOTAL: Town Clerk	95,539.00

	Trust Fund Clerk:	
1,000.00	Salary	1,000.00
100.00	Other	100.00
1,100.00	TOTAL: Trust Fund Clerk	1,100.00
	Conservation Commission:	
37,929.00	Salary	45,095.00
37,929.00	TOTAL: Conservation Commission	45,095.00
	Planning Board:	
600.00	Salaries	25,073.00
23,090.00	Wages	2,141.00
1,958.00	Other	1,958.00
25,648.00	TOTAL: Planning Board	29,172.00
	Zoning Board of Appeals:	
745.00	Wages	2,141.00
1,100.00	Other	775.00
1,845.00	TOTAL: Zoning Board of Appeals	2,916.00
902,538.00	SUB-TOTAL: GENERAL GOVERNMENT	973,768.00

PUBLIC SAFETY

	Police Department:	
141,754.00	Salaries	146,303.00
889,546.00	Wages	945,764.00
102,330.00	Other	128,295.00
1,133,630.00	TOTAL: Police Department	1,220,362.00
	Fire Department:	
89,364.00	Salaries	94,424.00
372,698.00	Wages	432,574.00
82,410.00	Other	86,175.00
544,472.00	TOTAL: Fire Department	613,173.00
	Ambulance Services:	
47,500.00	Other	50,000.00
47,500.00	TOTAL: Ambulance Service	50,000.00
	Inspectional Services:	
62,164.00	Salaries	66,268.00
17,785.00	Wages	18,164.00
5,114.00	Other	5,504.00
85,063.00	TOTAL: Inspectional Services	89,936.00

	Sealer Weights & Measure	
1,500.00	Salary	1,500.00
100.00	Other	100.00
1,600.00	TOTAL: Sealers Weights & Measure	1,600.00
	Animal Control Officer:	
8,500.00	Salary	8,500.00
1,600.00	Other	1,600.00
10,100.00	TOTAL: Animal Control Officer	10,100.00
	Animal Inspector:	
6,365.00	Salary	6,525.00
1,840.00	Other	1,840.00
8,205.00	TOTAL: Animal Inspector	8,365.00
1,830,570.00	SUB-TOTAL: PUBLIC SAFETY	1,993,536.00

EDUCATION ELEMENTARY SCHOOL

462,153.00	General Administration	433,830.00
2,683,422.00	Instructional Salaries	2,676,573.00
163,559.00	Instructional Materials	190,015.00
125,367.00	Other School Services	127,710.00
186,303.00	Transportation Regular	191,892.00
200,195.00	Fuel & Power	230,675.00
373,926.00	Bldg. Oper. & Main.	416,687.00
1,251,953.00	Special Needs	1,489,841.00
5,446,878.00	TOTAL: Elementary Schools	5,757,223.00
5,446,878.00	SUB-TOTAL - ELEMENTARY SCHOOLS	5,757,223.00

PUBLIC WORKS AND FACILITIES

	General Highway:	
67,792.00	Salary	69,973.00
174,100.00	Wages	177,920.00
178,695.00	Other	240,258.00
420,587.00	TOTAL: General Highway	488,151.00
	Snow and Ice:	
65,718.00	Wages	67,033.00
105,105.00	Other	107,615.00
170,823.00	TOTAL: Snow and Ice	174,648.00
	Street Lights	
16,800.00	Other	20,160.00
16,800.00	TOTAL: Street Lights	20,160.00
608,210.00	SUB-TOTAL: PUBLIC WORKS	682,959.00

HUMAN SERVICES

	Board of Health:	
54,414.00	Salary	55,627.00
4,500.00	Wages	4,976.00
14,440.00	Other	16,970.00
73,354.00	TOTAL: Board of Health	77,573.00
	MSW Collection, HHW & Recycling	
330,544.00	Services	335,005.00
330,544.00	TOTAL: MSW Collection, HHW & Recycling	335,005.00
	Recycling:	
7,250.00	Other	3,000.00
7,250.00	TOTAL: Recycling	3,000.00
	Council On Aging:	
28,813.00	Salary	38,648.00
37,931.00	Wages	40,183.00
3,275.00	Other	3,275.00
70,019.00	TOTAL: Council On Aging	82,106.00
	Tri Town Council:	
19,955.00	Services	19,955.00
19,955.00	TOTAL: Tri-Town Council	19,955.00
	HAWC:	
1,000.00	Other	1,000.00
1,000.00	TOTAL: HAWC	1,000.00
	Veterans' Benefits:	
1,600.00	Other	1,600.00
1,600.00	TOTAL: Veterans' Benefits	1,600.00
	Soldiers & Sailors Graves:	
750.00	Other	750.00
750.00	TOTAL: Soldiers & Sailors Graves	750.00
504,472.00	SUB-TOTAL: HUMAN SERVICES	520,989.00

CULTURE & RECREATION

	Library:	
163,168.00	Salaries	170,078.00
134,008.00	Wages	139,002.00
107,398.00	Other	116,469.00
404,574.00	TOTAL: Library	425,549.00

	Park and Cemetery Department:	
57,465.00	Salary	60,335.00
107,078.00	Wages	109,588.00
53,060.00	Other	54,364.00
217,603.00	TOTAL: Park & Cemetery Dept.	224,287.00
	Tree Department:	
2,714.00	Salary	2,768.00
2,860.00	Wages	2,900.00
8,650.00	Other	8,825.00
14,224.00	TOTAL: Tree Department	14,493.00
	Memorial Day/Veteran's Day:	
3,400.00	Other	3,400.00
3,400.00	TOTAL: Memorial Day/Veteran's Day	3,400.00
	Historical Commission:	
500.00	Other	500.00
500.00	TOTAL: Historical Commission	500.00
640,301.00	SUB TOTAL: CULTURE & RECREATION	668,229.00
	DEBT SERVICE	
509,500.00	Long-Term Debt Principal	539,000.00
554,168.00	Long -Term Debt Interest	534,625.00
10,000.00	Interest for Temporary Loans	5,000.00
5,600.00	Issue Cost	2,500.00
1,079,268.00	TOTAL: DEBT SERVICE	1,081,125.00
1,079,268.00	SUB TOTAL: DEBT SERVICE	1,081,125.00
	OTHER EXPENDITURES	
	Pensions:	
473,082.00	Essex Retirement	518,521.00
473,082.00	TOTAL: Pensions	518,521.00
	Insurance:	
198,542.00	Liability/Accident/Workmen's Compensation	227,636.00
1,040,017.00	Life/Medical/Medicare	1,171,266.00
25,000.00	Unemployment	25,000.00
1,263,559.00	TOTAL: Insurance	1,423,902.00
1,736,641.00	SUB-TOTAL OTHER EXPENDITURES	1,942,423.00
12,748,878.00	***TOTAL BUDGET RECOMMENDATION***	13,620,252.00

ATTACHMENT B
Article Fourth
May 2, 2006 ATM Personnel By-law Amendments

(Italics denotes changes, Strikeout denotes deletion)

Amend Article IV, Transfer and Promotions by changing Section 4.3 b:

An employee whose job is reclassified to a higher grade will ~~remain at the same step in the salary matrix as held under the previous grade~~ *be assigned to the step within the new grade that has the next highest salary relative to the employee's existing salary.*

Article IV, Transfer and Promotions by adding new Section 4.3 d:

At the discretion of the supervisory authority, an employee whose grade has been increased due to a reclassification may be placed at a higher step than required under Section 4.3b, subject to the availability of funds and subject to the recommendation of the Personnel Board and approval of the Board of Selectmen.

The purpose of this revision is to provide the employee with an increase associated with the reclassification. However, the current By-Law states that the employee "...will remain at the same step in the salary matrix as held under the previous grade." This wording results in increases ranging from 16% to 19%. It is the opinion of the Topsfield Personnel Board that this is excessive and difficult to justify to the taxpayers. While reclassification represents a promotion granted due to increased responsibilities, increased skill level (certifications, degrees, continuing education, training, etc.) it also should provide continued salary growth as an incentive to continuing employment and continuing performance. The current process accomplishes neither of these. It is also difficult to find funds for such increases within existing budgets.

Amend Article IV, Compensatory Time by changing Section 4.7:

The supervisory authority acting with the advice and consent of the Board may authorize ~~a day of~~ compensatory time for ~~each designated holiday an employee works~~. Such compensatory time, however, *shall be taken preferably by the end of the fiscal year in which it was earned but no later than one year from the date it was earned.* ~~sixty (60) days of the date of the designated holiday.~~ The Board of Selectmen shall be notified of any such action.

The purpose of this revision is to provide flexibility for department heads and supervising boards to deal with extraordinary circumstances and provide flexibility relative to work hours for personnel.

Amend Article V, Working Hours, Section 3.5 Family/ Medical Leave

By deleting Section 3.5 in its entirety:

Family/Medical Leave. Employees employed by the Town who have worked for a total of at least twelve (12) months or have worked at least 1,250 hours over the previous twelve months are entitled to Family/ Medical Leave. Eligible employees may be granted up to twelve (12) work weeks of unpaid leave during any twelve month period for the following reasons:

- a. for the birth or placement of a child for adoption or foster care (spouses employed are jointly entitled

- to a combined 12 work weeks of family leave for the birth or placement of child for adoption or foster care);
- b. to care for an immediate family member (spouse, child, or parent) with a serious medical condition
- c. to take medical leave when the employee is unable to work because of a serious health condition.

Employees seeking to use FMLA must request in writing to their supervisor 30 days prior to its implementation, and provide medical verification if a serious health condition exists affecting the employee or a member of the immediate family.

And replace with the following language described below:

3.5 Family/Medical Leave; Massachusetts Maternity Leave; Small Necessities Leave; Leave Without Pay

3.5.1 Family Medical Leave (FMLA)

a. Purpose of Leave & Eligibility: Employees employed by the Town who have worked for a total of at least twelve (12) months and have worked at least 1,250 hours over the previous 12 months are entitled to FMLA Leave. With the exception of an employee's own serious health condition, if both husband and wife are employed by the Town of Topsfield, they are together entitled to a maximum of twelve (12) work weeks of leave during any twelve (12) month period.

The Town of Topsfield will grant up to twelve (12) weeks of unpaid leave during a "rolling" twelve (12) month period to an eligible employee for one or more of the following reasons:

- *The birth, adoption or foster care placement of the employee's child *(see note 1);*
- *To care for a child during the twelve (12) month period following the birth or placement of a child for adoption or foster care;*
- *To care for the employee's child, spouse or parent, if that child, spouse or parent has a serious health condition; and*
- *To attend to the employee's own serious health condition that renders the employee unable to perform the functions of his or her job.*

Note 1: While an employee seeking maternity leave may not be eligible for FMLA under this policy, if they have more than 3 months of service with the Town, they may qualify for leave under the provisions of the Massachusetts Maternity Leave Act (MMLA).

b. Definition of Twelve (12) Month Period: The twelve (12) month period during which an eligible employee can take a leave under this policy is a rolling period. This period is measured forward from the date an employee first uses FMLA leave. An eligible employee's leave entitlement consists of up to twelve (12) weeks of FMLA leave during this rolling twelve (12) month period. Specific questions regarding this may be directed to the Personnel Board. Example: Employee begins leave on October 15, 2005. From the period of October 15, 2005 to October 14, 2006, the employee is entitled to 12 weeks of leave. This leave may be one or more than one instance during that time period.

c. Application of Unused Sick Time and Vacation Time to Leave: Except as otherwise stated, if an employee wishing to take FMLA leave is eligible under the existing Town of Topsfield Personnel By-Laws to take paid leave (For example: vacation or sick leave), the Town will require that all available paid leave be taken and exhausted during the period of FMLA. Once that paid leave is exhausted, the balance of the FMLA leave shall be unpaid leave.

d. Intermittent or Reduced Leave: When necessary, an employee eligible for FMLA leave may take "intermittent" leave (two (2) or more separate leave periods) or "reduced" leave (where an employee continues to work, but for fewer hours per day or per week). In such cases, the total number of hours or days

of leave taken by the employee is limited to the equivalent of twelve (12) work weeks for that employee.

Employees must make a reasonable effort to schedule the leave in a manner that will not unduly disrupt Town of Topsfield's operations. The Town of Topsfield may transfer an employee to an available alternative position with equivalent pay and benefits for which the employee is qualified, if that position can accommodate recurring periods of leave better than the employee's regular job.

3.5.2 Maternity Leave Under Massachusetts Law (MMLA)

a. Purpose of Leave & Eligibility: The MMLA provides for up to eight weeks unpaid leave to eligible female employees and the Town has extended these benefits to eligible male employees. To be eligible, the employee must work full-time and must have completed at least three (3) consecutive months of full time employment.

The purpose of this leave is for:

- the birth of a child*
- adopting a child under 18 years of age*
- adopting a child under 23 years of age, if the child is mentally or physically disabled*

Note: If an employee qualifies for FMLA, then MMLA and FMLA run concurrent for the first 8 weeks of the leave.

b. Pay Treatment and Application of Unused Sick Time and Vacation Time to Leave: The leave is unpaid. However, if an employee has time accrued as a result of unused vacation or sick leave, an employee may voluntarily use any paid accrued leave time concurrently with all or part of the paternity/maternity leave.

c. Advance Notice Requirement: In order to be eligible for this leave, an employee must give the Town of Topsfield at least two (2) weeks notice of his/her anticipated date of departure as well as at least two (2) weeks notice of his/her intention to return to work.

3.5.3 Small Necessities Leave (Massachusetts Small Necessities Leave Act – SNLA)

a. Purpose:

Eligible employees may take up to twenty four (24) hours of unpaid leave, during a twelve month period for the purpose of tending to certain family matters which include:

- Participating in school activities directly related to the educational advancement of an employee's son or daughter, for instance, a parent teacher conference or an interview at a new school.*
- Accompanying an employee's son or daughter to a routine medical or dental check up, for instance; a check up or vaccination.*
- Accompanying an elderly relative to a routine medical or dental appointment or one related to the elder's care, for instance, to an interview at a nursing or group home.*

b. Eligibility: Employees are "eligible" to take SNLA leave only if they have worked for the Town of Topsfield for at least 12 months and have worked 1,250 hours during the 12 months.

c. Definition of Twelve (12) Month Period: The twelve (12) month period during which an eligible employee can take a leave under this policy is a rolling period. This period is measured forward from the date an employee first uses SNLA leave. An eligible employee's leave entitlement consists of up to twenty-four (24) hours of SNLA leave during this rolling twelve (12) month period.

d. Intermittent SNLA Leave: An eligible employee may take SNLA leave intermittently and need not use the entire 24 hour leave at once. However, the leave taken cannot exceed 24 hours during any twelve (12) month period. The 24 hours of unpaid leave are in addition to leave permitted by the FMLA and the MMLA. Whenever the need for leave is foreseeable, employees must provide the Town of Topsfield with at least seven

(7) days notice prior to taking the leave. In all other instances, employees are requested to provide as much advance notice as practical.

The Town may request written certification confirming the necessity for the leave.

e. Pay Treatment and Application of Unused Sick Time and Vacation Time to Leave: This leave is unpaid, however, employees are not required to, but may use accrued vacation time when taking SNLA leave.

~~3.5.1~~ 3.5.4 Leave Without Pay: ~~Department heads~~ *The Board of Selectmen upon recommendation of the department head may approve an unpaid extended leave of absence of up to one year based on a written request from the employee and documentation supporting the request. No leave of absence shall extend beyond one year.*

The Topsfield Personnel Board has voted to revise Section 3.5 to comply with the various State and Federal laws dealing with employee leaves of absence. This revision clarifies the rules of eligibility and provides clear definition of the terms and ensures that the By-Law is in compliance with State and Federal laws.

Amend Article VI, Employee Benefits, Section 4.0 Longevity Bonus as follows:

Contingent upon a longevity bonus being paid to other represented town employees, non-union employees with continuous service with the Town will receive a yearly longevity bonus per the following schedule:

After 10 years of continuous service (~~payable 11-15 years~~): \$650
After 15 years of continuous service (~~payable 16-20 years~~): \$750
After 20 years of continuous service (~~payable 21 years and over~~): \$1,000

An employee's total years of service attained anytime within the current fiscal year will determine the amount of payment.

The longevity bonus will be paid the first pay period of December.

The longevity bonus for those employees that work 20 or more hours per week will be prorated based on the number of scheduled hours worked. ~~calculated as a percentage of the above amounts equal to the percentage of the work week actually worked.~~

Because call fire fighters ~~because of the fact that they~~ are on call 24/7, they will be eligible for the longevity bonus set forth above prorated as if they worked a twenty (20) hour work week.

If a Town employee holds multiple positions in the Town that ~~qualifies~~ qualify for the longevity bonus, that employee will only qualify for one longevity bonus. ~~, not multiple bonuses.~~

If an employee leaves the employment of the Town, including retirement, the employee will receive a prorated share of the longevity bonus depending on the employee's anniversary date during the fiscal year when the longevity payment is received. Any overpayment will be deducted from any final payment due the employee, or, if none, shall be owed to the Town.

The Topsfield Personnel Board has voted to revise Section 4.0 to clarify the rule for calculating the years of continuous service and specifying the time of payment. There is no change in the amount being paid nor in the years of service required to be paid a Longevity Bonus.

Amend Article X, Classification and Compensation Plan, Sections 1.0, 3.0, 3 as follows:

Section 1.0 replace with the following language at the end of the section:

Effective July 1, 2006 salaried positions will be compensated under a single 40 hour grid. All salaried wages, regardless of the number of scheduled work hours, will be prorated from this single grid.

Effective July 1, 2006 a percentage increase of 2.5% will be applied to all steps of the compensation plan grid. For those individuals not at step nine, step increases will be implemented.

Sections 3.0 and 3.1, Classification of Town Positions amend sections accordingly:

By deleting Water Assistant Superintendent H-8, Water Systems Operator H-6, Fire Chief S-8;

By changing Conservation Administrator S-5 to S-6, Health Agent S-5 to S-6;

By adding Land Use Coordinator S-5, Water System Technician H-3,

By adding to Fee for Service: Alternate Health Agent, Board of Health Sanitarian, Park & Recreation Camp Director, Park & Recreation Camp Counselor, Park & Cemetery Gate Keeper;

Combining Gas Inspector S-5 & Plumbing Inspector S-5 to Gas & Plumbing Inspector S-5

The Topsfield Personnel Board has voted to revise the Salary and Wage Pay Level Grid (shown as Attachment B in the current By-Law) to a single grid based on a 40 hour week for Salaried Positions. The Grades and the Steps of the 40 hour grid will be used to calculate the effective salary and wage for salaried employees who work fewer than 40 hours. Under the current By-Law, all salaried positions must be forced into either the 40 hour, the 37.5 hour or the 20 hour grid. A single grid will allow the Town to make use of part time employees and/or job sharing arrangements of any number of hours.

The separate grid for Hourly Positions will remain.

Refer to the new schedules for the "Fiscal 2007 Salary & Wage Pay Level Grids" for the above effective changes. See Attachment C entitled "Fiscal 2007 Salary & Wage Pay Level Grids".

Attachment C: FISCAL 2007 Salary and Wage Pay Level Grids									
40 Hrs per week - Salaried Positions									
									2.5% adjustment
Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
S-3	\$26,497.74	\$27,562.97	\$28,665.50	\$30,098.76	\$32,149.00	\$33,113.47	\$34,106.88	\$35,130.08	\$36,184.01
S-4	\$31,604.95	\$32,875.51	\$34,139.64	\$35,846.63	\$38,345.49	\$39,495.84	\$40,680.71	\$41,901.16	\$43,158.19
S-5	\$37,759.31	\$39,277.28	\$40,787.60	\$42,826.96	\$45,812.44	\$47,186.79	\$48,602.41	\$50,060.49	\$51,530.68
S-6	\$43,451.21	\$45,198.00	\$46,935.97	\$49,282.74	\$52,718.24	\$54,299.79	\$55,928.78	\$57,606.63	\$59,334.83
S-7	\$50,692.39	\$52,730.27	\$54,707.70	\$57,495.79	\$61,503.76	\$63,243.50	\$65,249.35	\$67,206.83	\$69,223.04
S-8	\$57,939.82	\$60,269.06	\$62,586.55	\$65,715.86	\$70,296.79	\$72,405.81	\$74,577.99	\$76,815.30	\$79,119.76
S-9	\$59,254.19	\$61,636.27	\$64,006.35	\$67,206.66	\$71,891.61	\$74,048.36	\$76,269.83	\$78,557.91	\$80,914.65
Hourly Positions									
									2.5% adjustment
Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
H-1	\$7.86	\$8.18	\$8.49	\$8.93	\$9.54	\$9.82	\$10.11	\$10.41	\$10.72
H-2	\$9.03	\$9.39	\$9.76	\$10.27	\$10.96	\$11.29	\$11.63	\$11.97	\$12.34
H-3	\$10.20	\$10.60	\$11.03	\$11.59	\$12.40	\$12.77	\$13.15	\$13.54	\$13.94
H-4	\$11.35	\$11.83	\$12.30	\$12.92	\$13.82	\$14.23	\$14.66	\$15.11	\$15.55
H-5	\$12.55	\$13.06	\$13.55	\$14.24	\$15.25	\$15.70	\$16.17	\$16.67	\$17.17
H-6	\$13.71	\$14.25	\$14.82	\$15.56	\$16.68	\$17.18	\$17.69	\$18.21	\$18.78
H-7	\$14.86	\$15.47	\$16.08	\$16.90	\$18.07	\$18.59	\$19.17	\$19.72	\$20.33
H-8	\$16.09	\$16.74	\$17.43	\$18.27	\$19.55	\$20.14	\$20.73	\$21.34	\$21.99
H-9	\$17.40	\$18.10	\$18.84	\$19.77	\$21.13	\$21.75	\$22.42	\$23.08	\$23.77

NOTES

OFFICE OF THE BOARD OF SELECTMEN
8 WEST COMMON STREET
TOPSFIELD, MA 01983

U.S. POSTAGE
PAID
PERMIT 51
TOPSFIELD, MA



TO ALL REGISTERED VOTERS:

RESIDENT
TOPSFIELD, MA 01983

ANNUAL AND SPECIAL TOWN MEETING

Proctor School, Woodbury Auditorium

TUESDAY, MAY 2, 2006 at 7:00PM

and if needed, continued on Wednesday, May 3, 2006

ANNUAL TOWN ELECTION

THURSDAY, MAY 4, 2006

7:00 AM to 8:00 PM

ST. ROSE CHURCH HALL

12 Park Street, Topsfield